



February 28, 2020

Mr. Jay Shambeau, Administrator  
& Mr. Doug Neumann, Public Works Director  
City of West Bend  
251 Municipal Drive  
West Bend WI 53095

Subject: Schuster Drive Landfill  
DNR and West Bend Meeting Summary  
BRRS #02-67-584461

Dear Mr. Shambeau and Mr. Neumann:

Thank you for meeting with us on January 21st to discuss your on-going environmental investigation for the area surrounding the Schuster Drive landfill. We have also appreciated the regular phone update meetings throughout the last several weeks of your vapor assessment project. Early in your project, we sent you a letter regarding the vapor intrusion assessment work. The intent of today's letter is to summarize our understanding of the topics we discussed at our recent meeting, which include some clarification of earlier DNR correspondence as well.

**Communication** was a major topic of discussion at our earlier meeting in November and our recent meeting as well. We recognized that this project is a high priority for the City, the affected residents and the DNR, and involves significant new workload for City and DNR staff, with fairly tight timelines. Our communication with each other, with our own organizations, with local and state health officials, and with the community members and general public is important and is also one part of the extra workload that comes with this project. We had a very good discussion about this when we met in November. We are impressed with the regular update calls, which have been a very good way to keep your team and our team up to speed as data and information is developed weekly by your consultant.

The City has also taken steps to communicate with the affected community members. The early public meeting and associated canvassing by Doug to advertise this meeting were critical actions for engaging and informing the community. The City has also set up a web site for this project, which will be helpful to provide information and updates that people can continue to refer to during this project. The "Frequently Asked Questions" is a good way to help community members stay in the conversation by seeing what others are asking and the answers being provided. Continuing the in-person conversations in the neighborhood, as field work is being proposed and carried out, is another communication method being used by the City and its consultant. We also know the City is responding to individual inquiries as they occur, as are DNR and DHS staff.

DNR staff are able to assist you with future public meetings. Please let us know if there are specific things you need, and of topics you'd like us to be prepared to speak about at future public meetings.

**Access for testing** is another area where DNR can assist the City in this vapor assessment project. We discussed this in our recent meeting, and DNR staff are working with Department of Health Services staff to make contact with homeowners who have not responded to access requests. These contacts will likely be by phone or in person visits, followed up by letters encouraging homeowners to allow testing. We will keep you informed of our progress.

**Personal privacy** has also been a topic of on-going discussions, as data and information are obtained for individual homes and occupants. We acknowledge the difficulty in balancing the public right to know regarding DNR and City actions, the need for the DNR, the City and its consultant to have clear information that is easy to evaluate in a timely manner, and the concern to protect personal information to extent we are able within our legal responsibilities. We appreciate your thoughtfulness in dealing with individuals in the neighborhood and will continue to work with you to ensure we are able to see and evaluate critical information, which would include only the essential and publicly available property ownership information. At the same time, we will comply with open records requirements for public institutions.

**Vapor Assessment Process** was a main topic of our previous letter, our earlier meeting and our recent meeting. We would like to clarify that the initial assessment work and criteria used to scope that work were consistent with typical early vapor assessment expectations, which focus on areas where groundwater or soil conditions indicate the highest potential for vapor intrusion. At this site, the consultant accurately identified the area around monitoring well MW-10 as a key starting area for the site vapor intrusion assessment. Based on vapor data and additional new groundwater data collected in the initial vapor assessment phase, the consultant expanded the vapor assessment to follow the same protocol, which resulted in vapor testing of homes to the east of the MW-10 area along Stanford Lane and on the east side of the neighborhood.

Although prediction of potential vapor risk associated with higher levels of groundwater contamination was a logical way to proceed initially, our previous letter shared our concern about the short-term exposure risk for TCE for certain sensitive receptors. The City quickly addressed this issue by developing and sending out a demographic information survey to the neighborhood and prioritizing sensitive receptors for vapor intrusion assessment.

We understand that your assessment work continues to prioritize sensitive receptors but is also now expanding around the area where vapor intrusion had been found in several homes. At our January 21<sup>st</sup> meeting, we discussed your continuing assessment work and plans for future work.

**Maintenance and inspection of vapor mitigation systems** was one of several minor topics contained within our previous letter. We understand that the City and consultant plan to complete commissioning protocols for systems you install, and that you expect to continue to inspect and maintain these systems until home owners indicate they prefer to and are capable of doing this maintenance. Our previous letter stated that maintenance plans should be provided to DNR upon installation of the systems, according to code requirements. A more realistic approach would be to wait until the systems have been fully commissioned. We also recognize that close discussion with homeowners during the commissioning process will likely occur and would include basic information that will help the homeowner understand how to determine whether the system is running, how to ensure they don't interfere with the system, and when/how to contact you or your consultant if they have questions or believe the system is not functioning. We will work with your consultant to help streamline the development of maintenance plans and tracking of these systems.

**Moving forward**, we agree that continuing to maintain open communication between DNR and the City, as well as with DHS and the neighborhood, will contribute to the continued successful progress on the important work the City is doing to address the vapor intrusion issues at this site. We've offered to provide assistance to the City if needed on future communication with the public.

Please contact me whenever you have questions about DNR requirements and project developments. Our project manager, Paul Grittner, will continue to be the DNR project manager for the site and he and Jim Walden, our vapor expert will work with your consultant on the technical aspects of the work. We have been very impressed with the professional and thoughtful approach you have taken on this very large and complex project, which sets a good example for others to follow, and we look forward to our continued work together.

Sincerely,



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